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Attorneys for Nominal Defendant  
 HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

PHILIP RICCIARDI, Derivatively on Behalf  
 of HEWLETT-PACKARD COMPANY,

Plaintiff,

v.

MICHAEL R. LYNCH, et al.,

Defendants,

-and-

HEWLETT-PACKARD COMPANY, a  
 Delaware corporation,

Nominal Defendant.

Case No. 3:12-cv-06003-CRB

**NOMINAL DEFENDANT HEWLETT-  
 PACKARD COMPANY'S RESPONSE  
 TO MOTIONS SEEKING  
 CONSOLIDATION OF ALL  
 RELATED ACTIONS, APPOINTMENT  
 OF LEAD PLAINTIFF AND  
 APPOINTMENT OF LEAD COUNSEL**

Date: March 1, 2013

Time: 10:00 a.m.

Dept: Courtroom 6, 17th Floor

Judge: Hon. Charles R. Breyer

Complaint filed: Nov. 26, 2012

Trial date: None Set

1 ERNESTO ESPINOZA, Derivatively on  
2 Behalf of HEWLETT-PACKARD  
COMPANY,

3 Plaintiff,

4 v.

5 MICHAEL R. LYNCH, et al.,

6 Defendants,

7 -and-

8 HEWLETT-PACKARD COMPANY, a  
Delaware Corporation,

9 Nominal Defendant.

Case No. 3:12-cv-06025-CRB

Complaint filed: Nov. 27, 2012

Trial date: None Set

10 ANDREA BASCHERI and JIM CHUNG,  
11 Derivatively on Behalf of HEWLETT-  
PACKARD COMPANY,

12 Plaintiffs,

13 v.

14 LEO APOTHEKER, et al.,

15 Defendants,

16 -and-

17 HEWLETT-PACKARD COMPANY,

18 Nominal Defendant.

Case No. 3:12-cv-06091-CRB

Complaint filed: Nov. 30, 2012

Trial date: None Set

19 MARTIN BERTISCH, Derivatively on Behalf  
of HEWLETT-PACKARD COMPANY,

20 Plaintiff,

21 v.

22 LEO APOTHEKER, et al.,

23 Defendants,

24 -and-

25 HEWLETT-PACKARD COMPANY, a  
26 Delaware corporation,

27 Nominal Defendant.

Case No. 3:12-cv-06123-CRB

Complaint filed: Dec. 3, 2012

Trial date: None Set

THE CITY OF BIRMINGHAM  
RETIREMENT AND RELIEF SYSTEM,  
Derivatively on Behalf of HEWLETT-  
PACKARD COMPANY,

Plaintiff,

v.

LEO APOTHEKER, et al.,

Defendants,

-and-

HEWLETT-PACKARD COMPANY

Nominal Defendant.

Case No. 3:12-cv-06416-CRB

Complaint filed: Dec. 18, 2012  
Trial date: None Set

JOSEPH TOLA, Derivatively on Behalf of  
HEWLETT-PACKARD COMPANY,

Plaintiff,

v.

MICHAEL R. LYNCH, et al.,

Defendants,

-and-

HEWLETT-PACKARD COMPANY, a  
Delaware corporation.

Nominal Defendant.

Case No. 3:12-cv-06423-CRB

Complaint filed: Dec. 18, 2012  
Trial date: None Set

STANLEY MORRICAL,

Plaintiff,

v.

MARGARET C. WHITMAN, et al.,

Defendants,

-and-

HEWLETT-PACKARD COMPANY,

Nominal Defendant.

Case No. 3:12-cv-06434-CRB

Complaint filed: Dec. 19, 2012  
Trial date: None Set

1 Nominal Defendant Hewlett-Packard Company (“HP”) hereby submits this Response to  
 2 the pending motions for consolidation, appointment of lead plaintiff and for approval of movants’  
 3 selection of lead counsel (the “Motions”).

4 HP agrees that the above-captioned cases should be consolidated into a single action and  
 5 its counsel has been working with other counsel of record in the above-captioned cases on a  
 6 stipulation to provide for an orderly consolidation and related procedures for responsive pleadings  
 7 and/or motions, which HP anticipates will be submitted to the court shortly following the parties  
 8 agreement. HP otherwise takes no position with respect to the motions, and specifically takes no  
 9 position with respect to the appointment of lead plaintiff or lead plaintiff’s counsel, and expressly  
 10 reserves all rights and defenses in this matter, including, but not limited to, the right to assert that  
 11 any Lead Plaintiff does not have standing to bring a derivative action on behalf of HP, or that any  
 12 Lead Plaintiff has otherwise failed to comply with the requirements of Federal Rule of Civil  
 13 Procedure 23.1.

14  
 15 Respectfully submitted,

16 MORGAN, LEWIS & BOCKIUS LLP

17 Dated: February 8, 2013

18 By /s/ Joseph E. Floren  
 19 JOSEPH E. FLOREN

20 Attorneys for Nominal Defendant  
 21 HEWLETT-PACKARD COMPANY  
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